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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,422

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Guoshun Deng

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EXAMINER

WOO, KUO-KONG

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,422

Applicant(s)

DENG ET AL.

Examiner

KUO WOO

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 29 August 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

Response to Arguments

1. This action is response to applicant an amendment, files on April 23, 2009.
2. Claims 1-8 and 10 have been amended and claims 11-16 have been newly added. Claims 1-16 are pending in this office action.
3. Applicant's arguments with respect to claims 1-10 and newly added claims 11-16 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

4. The information disclosure statement (IDS) filed on 05/06/2009 has been considered.

Specification

5. Paragraph [17], a high speed transmission unit "**1168**" shall be **118**.
Appropriate correction is required

Drawings

6. Figure 2, 116 shall extend point line to (low power dissipation radio unit) box and not point to as 104 radio unit. Appropriate correction is required.

Claims

7. Claims 3 and 10 are objected to because of the following informalities:
Claims 3 and 10, wireless "**commutation**" protocol.... is misspelling and appropriate correction is required.

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nan (CN 2174813Y).in view of Vidal (US-PGPUB 2005/0195099 A1).

Regarding claim 1, Nan discloses “a radio unit for operating at least two wireless communication modes” (Abstract, The remote-controlled device can be remotely controlled by an infrared signal or a radio frequency signal), wherein two type of signals can be sent from controller unit;

“A control unit for selecting one of the at least two wireless communication modes” Nan discloses same as reason as above;

However, Nan does not explicitly teach “a memory unit”

In An analogous art, Vidal discloses “a memory unit (¶ 40, control symbols can reside in nonvolatile **memory on the remote control** 102), one wireless mode inputted by a user (Abstract, universal remote control, which includes a display screen and **a user input mechanism**) and transmits the control commands to the device for controlling operations of the device, and/or transmits data stored in the memory unit (¶16,

appliance-control mechanisms is stored in the remote control to choose for display to the user by the appliance) and (¶46, Memory 406 includes program instructions for processor 404 and persistent storage for symbols and the like) to the device in the selected wireless communication mode" (¶34, FIG. 1 illustrates remote control 102,... a wireless communication channel such as **an infrared channel** or **a radio frequency (RF)** channel).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Nan teaching in remote control appliances invention in view of Vidal provides a processing unit that is configured to display information on the display screen and to accept selection data from the user input mechanism (see Abstract).

Rationales for arriving at a conclusion of obviousness suggested by the Supreme Court's decision in KSR include: Combine prior art elements according to known method to yield predictable result.

Regarding claim 2, Vidal discloses "radio unit comprised a low dissipation radio unit (¶35, Remote control 102, Wireless communication channel can be an infrared channel or a radio frequency channel such as a Bluetooth) and a high speed transmission unit" (¶33, a wireless communication channel such as an infrared channel or a radio frequency (RF) channel), wherein Bluetooth is consider low dissipation radio unit and other RF transmission is relatively higher speed than an infrared channel transmission.

Regarding claims 3-4, has limitations similar to those treated in the above claim 2 rejection(s), and are met by the references as discussed above.

Regarding claim 5, Vidal discloses "low power dissipation is preset as a default mode" (¶47, this wireless communication channel can include an infrared communication link or a RF link such as a Bluetooth.)

Regarding claims 6-7, has limitations similar to those treated in the above claim 1 rejection(s), and are met by the references as discussed above.

Regarding claim 8, Nan discloses "remote control unit comprises a low power dissipation radio unit and high speed transmission unit (Abstract, remotely controlled by an infrared signal or a radio frequency signal), wherein infrared signal is low power dissipation radio unit and GSM or radio frequency signal is high speed transmission unit.

Regarding claim 11, (New) Vidal discloses "is configured to access external memory (¶ 56, remote control 102 (step 608). Note that icons presented on remote control 102 can be stored in **memory 406 or can be received by communication module 408 from appliance 402**) via the interface unit" wherein information card is external memory unit working with remote control unit.

Regarding claims 12-16, (New) have limitations similar to those treated in the above rejection(s), and are met by the references as discussed above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUO WOO whose telephone number is (571)270-7266. The examiner can normally be reached on Monday through Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KUO WOO/
Examiner, Art Unit 2617

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617